

B L A C K

H E L T E R L I N E LLP

A T T O R N E Y S A N D C O U N S E L O R S A T L A W

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Admitted in Oregon and Washington

April 10, 2015

VIA E-MAIL AND FIRST-CLASS MAIL

Regional Freedom of Information Officer
U.S. EPA, Region 10
Office of Ecosystems, Tribal and Public Affairs
1200 6th Avenue ETPA-124
Seattle, WA 98101
E-mail: kercheval.stephanie@epa.gov

Reference: FREEDOM OF INFORMATION ACT REQUEST LETTER

Dear Regional Freedom of Information Act Officer:

This is a request under the Freedom of Information Act (5 U.S.C. § 552).

I am an attorney with Black Helterline LLP. We represent Robert E. Kerivan and Bridgeview Vineyards, Inc. On behalf of Mr. Kerivan and Bridgeview Vineyards, Inc., I hereby request that a copy of the following documents, or documents containing the following information, be provided to my office at the address listed at the bottom of this letter:

1. Your entire files for EPA Docket No. CWA-10-2003-0011 and EPA Docket No. CWA-10-2005-0124 (collectively referred to herein as the "EPA ENFORCEMENT ACTIONS").
2. All documents referring or relating to any of the following:
 - a. Bridgeview Vineyards, Inc., Robert E. Kerivan, or any other person or entity that is or has acted on their behalf in a representative or agency capacity at any time (collectively referred to herein as "KERIVAN");
 - b. The real property located at 4210 Holland Loop Road, Cave Junction, Oregon 97523 owned by Bridgeview Vineyards, Inc. (the "PROPERTY");



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- c. The actions of Robert E. Kerivan and/or Bridgeview Vineyards, Inc. in 1998 that led to the State of Oregon's criminal prosecution of Mr. Kerivan in *State of Oregon v. Robert Edward Kerivan*, Josephine County Circuit Court Case No. 98-1185-M (the "1998 ACTIVITY");
 - d. KERIVAN's efforts in early 1999 to obtain emergency authorization pursuant to ORS 196.810 (the "1999 APPLICATION");
 - e. The State of Oregon's criminal prosecution of Robert E. Kerivan in *State of Oregon v. Robert Edward Kerivan*, Josephine County Circuit Court Case No. 98-1185-M (the "KERIVAN PROSECUTION");
 - f. The State of Oregon's criminal prosecution of Howard Reuben Pickle in *State of Oregon v. Howard Reuben Pickle*, Josephine County Circuit Court Case No. 98-1184-M (the "PICKLE PROSECUTION"); or
 - g. The EPA ENFORCEMENT ACTIONS.
3. All documents referring or relating to Howard Reuben Pickle, including but not limited to all documents referring or relating to any of the following:
- a. KERIVAN;
 - b. the PROPERTY;
 - c. the 1998 ACTIVITY;
 - d. the 1999 APPLICATION;
 - e. the KERIVAN PROSECUTION;
 - f. the PICKLE PROSECUTION; or
 - g. the EPA ENFORCEMENT ACTIONS.
4. All documents evidencing any communications, including all correspondence and e-mails, referring or relating in any way to KERIVAN, the PROPERTY, the 1998 ACTIVITY, the 1999 APPLICATION, the KERIVAN PROSECUTION, the

PICKLE PROSECUTION, or the EPA ENFORCEMENT ACTIONS between or among any of the following persons or entities:

- a. The U.S. Environmental Protection Agency, including but not limited to your present and former agents, managers, employees, contractors, attorneys, investigators, representative, or other persons or entities acting or purporting to act on your behalf, including but not limited to Yvonne Valette with the Oregon Operations Office;
- b. The State of Oregon, its agencies, including but not limited to the State Land Board and the Division of State Lands, and its officials, employees, or agents, including but not limited to Paul Cleary, Steven Purchase, Ann Hanus, Perry Lumley, Gordon Dunkeld, Robert "Bob" Brown, Larry Doe, and William Cook;
- c. The U.S. Army Corps of Engineers;
- d. The Oregon Department of Fish and Wildlife;
- e. The Oregon State Police;
- f. The Josephine County Sheriff's office;
- g. The State of Oregon Attorney General's office;
- h. The Josephine County District Attorney's office; or
- i. KERIVAN.

Please deliver these documents to me at my office at the following address: Margaret E. Schroeder, Black Helterline LLP, 805 S.W. Broadway, Suite 1900, Portland, OR 97205. If you maintain these records in electronic form, I request that the information be provided to me in that form.

I am willing to pay fees for this request up to a maximum of \$150.00. If you estimate that the fees will exceed this limit, please obtain my approval before any such charges are incurred. I can be reached via e-mail at mes@bhlaw.com or via telephone at (503) 417-2130.

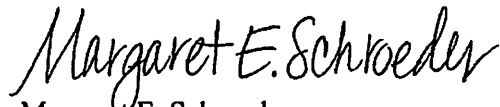
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I expect a response within 20 working days as provided by law. If my request is denied in whole or in part, I expect a detailed justification for withholding the records. I also request any segregable portions that are not exempt to be disclosed.

Thank you for your prompt attention to this matter.

Very truly yours,


Margaret E. Schroeder

MES:dla

cc: Robert E. Kerivan

